Page 1 of 2 P & 2007 MAR 2 6 2007

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFW/

Serial No. 10/566,822

Filed: January 31, 2006

For: METHOD OF EVALUATING COMPUND EFFICACIOUS

IN TREATING OBESITYBY USING SIc25a10

Art Unit: 1614	
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Examiner: Not Yet Assigned

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

**MERCK & CO., INC.** 

Danila P. Detan Date 3/20/07

**RELATED APPLICATION** 

## INFORMATION DISCLOSURE STATEMENT

1

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
<del></del>		
If this is inconvenient, additional copies will be submitted upon requ	uest.	• • •
6. In accordance with 37 C.F.R. 1.97, (check one)		
the attached information is filed within three months of the filing	date of the captioned case.	
the attached information is filed more than three months after the Office Action on the merits.	he filing date but prior to the r	nailing of a first
the attached information is filed before the mailing of a first Offi examination under §1.114.	ce action after the filing of a r	request for continued
the attached information is being filed more than three months Office Action on the merits, but before the mailing date of a Fin otherwise closes prosecution in the application. The enclosed Account No. 13-2755 for the fee required under 37 C.F.R. 1.17	al Action, Notice of Allowance authorization is therefore give	e, lor an action that 🧼 🔆
each item of information contained in this Information Disclosur from a foreign patent office in a counterpart foreign application Statement.		
each item of information contained in the information disclosure a foreign patent office in a counterpart application and this condesignated in §1.56(c) more than thirty days prior to the filing of	nmunication was not received	by any individual
no item of information contained in this Information Disclosure foreign patent office in a counterpart foreign application, and, to after making reasonable inquiry, was known to any individual demonths prior to the filing of this Statement.	the knowledge of the persor	signing the certification
	Respectfully submitted,	
	Hid In Strine	
	By: Heidi M. Struse	
	Attorney For Ap	plicant(s)

Reg. No. 50,288 MERCK & CO., INC. Patent Dept., RY60-30

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Rahway, N.J. 07065-0907

Date: March 22, 2007

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	Substitute for form 1449B/PTO				COMPLETE IF KNOWN		
INFORMATION DISCLOSURE				CLOSURE	Application Number	10/566,822	
				DI ICANIT	Filing Date	January 31, 2006	
MAR 2 6 2007 (use many sheets as necessary)			PLICANI	First Named Inventor	Kotani et al.		
			,	Group Art Unit	1614		
E C	PADEMARK OF	many sneets	as n	iecessary)	Examiner Name		
	Sheet	1	of	1	Attorney Docket Number	BY0029Y	
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	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*								
/R.S./	1	Fiermonte, G., et al., "The sequence Bacterial Expression, and Functional Reconstitution of the Rat Mitochondrial Dicarboxylate Transporter Cloned via Distant Homologs in Yeast and Caenorhabditis elegans", The Journal of Biological Chemistry, Vol. 273, pp. 24754-24759 (1998)						
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Examiner	/Pichard Sabnizar/	Date	00/40/0000
Signature	/Richard Schnizer/	Considered	08/19/2009

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.